రిజిష్టర్డు నెం. ఎమ్.- 2062



పశ్చిమ గోదావరి జిల్లా రాజపత్రము

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అధికారమువలన ప్రచురించబడినది

నెం. 1(2) ఏలూరు, 2014వ సంవత్సరము, జనవరి నెల, 29వ తేది, బుధవారము

CIVIL COURT - ELURU
Present : Smt. P. KAMALA DEVI, B.Com.B.L.
Addl. Senior Civil Judge
Tuesday, the 2nd day of January, 2014.

I. P. No. 47/2012

Between :

Medikonda Satyanarayana
-------Petitioner/Creditor

And

Sri Rudraboyina Nagaraju
and two others
-----Respondents/Debtor

This petition coming to this day before me for disposal in the presence of Sri N.N.R., advocate for petitioner and of the respondents 1 to 3 are having been remained exparte, and upon hearing the counsel for petitioner and perusing the record, this Court made the following :-

ORDER

This petition filed under Sections 6 and 9 of Provincial Insolvency Act, by the petitioner/ Creditor prays to 1st respondent as an insolvent and declaring that the sale deed dated 25-1-2012 executed by the 1st respondent infavour of the 2nd respondent in respect of schedule property is null and void and to appoint official receiver West Godavari District, Eluru.

Heard the learned counsel for the petitioners and perused the affidavit of P.Ws. 1 and examined Ex P-1 to P-7 marked. As it is prima facie proved the 1st respondent committed an act of insolvency, he is liable to be adjudged as an insolvent. Hence I am inclined to allow this petition.

In the result, the petition is allowed and the 1st respondent is adjudged as insolvent. Notify the same in the state Official Gazette. Petition schedule property shall be vested in the Official Receiver and he shall administer the same. Time for discharge is six months. The office is directed to transmit the administration charges forthwith.

Pronounced by me in open Court, this the 2nd day of January, 2014.

(Sd.),
Addl. Senior Civil Judge,
Eluru.
[Dis. No. 11

Appendix of Evidence
Witnesses Examined

Petitioner :- Respondent

P. W.-1 Medikonda Satyanarayana

Nil

Ex-P-1 Pronote executed by the respondent No. 1 dated 18-9-2009.
Ex-P-2 Sale deed executed by the respondent No. 1 and 2 infavour of R-3, dated 25-1-2012.
Ex-P-3 Registered Notice dated 16-4-2012.
Ex-P-4 Acknowledgement, dated 17-4-2012
Ex-P-5 Acknowledgement, dated 17-4-2012
Ex-P-6 Postal Receipt, dated 16-4-2012.
Ex-P-7 Certified copy of the Decree in O.S.No. 467/12

ముద్రణ కమీషనరుగారిచే ప్రభుత్వ ప్రాంతీయ ముద్రణాలయము, విజయవాడనందు ముద్రించబడి, జిల్లా కలెక్టరుగారిచే ప్రచురించబడినది.